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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Australia, Azerbaijan,* Bolivia (Plurinational State of),* Chile, Cyprus,* Cuba, Ecuador, Greece,* Honduras,* Liechtenstein,* Peru, Paraguay,* Philippines, Switzerland, Uruguay:* draft resolution

38/... Human rights and the regulation of civilian acquisition, possession and use of firearms

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other international human rights law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, 16/21 of 25 March 2011, 26/16 of 26 June 2014 and 29/10 of 2 July 2015,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Bearing in mind the adoption by the General Assembly of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16 to promote peaceful and inclusive societies,

Recalling that States bear the primary responsibility under international law to respect, protect and fulfil all human rights, namely civil, political, economic, social and cultural rights, and fundamental freedoms, and that such responsibility may include, as appropriate, enacting and enforcing relevant national legislation and implementing related policies and practices,

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to the realization of their economic, social and cultural rights, and to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

* State not a member of the Human Rights Council.

Alarmed that hundreds of thousands of human beings of all ages around the world continue to have their human rights, in particular their right to life and security of person, negatively affected by the misuse, intentional or unintentional, of firearms, which has direct links to violence, including violence against women and children, and domestic violence,

Noting with concern that cases of civilian firearms-related violence cause death, non-fatal physical injuries and psychological trauma, and may lead to severe disability and an overall decline in a sense of public safety,

Recognizing that the costs generated by civilian firearms-related violence in terms of, inter alia, medical treatment, mental health services and criminal justice might undermine the capabilities of States to use their resources to further enhance the promotion and protection of human rights and fundamental freedoms,

Recognizing also that national regulation of civilian acquisition, possession and use of firearms includes appropriate measures to avoid illicit practices, including diversion of firearms,

Recognizing further the importance of systematic measuring, monitoring and reporting of civilian firearms related-violence for the enjoyment of human rights,

Acknowledging that an effective national regulation of civilian acquisition, possession and use of firearms may contribute positively to diminishing the number of victims of the misuse of firearms, and may enhance the protection of all human rights, namely civil, political, economic, social and cultural rights,

Acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, to ensure that the civilian acquisition, possession and use of firearms in their respective societies are effectively regulated,

1. *Reiterates* its deep concern at the fact that hundreds of thousands of human beings of all ages around the world have lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians, thus having their human rights, in particular their right to life and security of person, negatively affected;

2. *Recognizes* that civilian firearms-related violence and insecurity pose direct risks to the right to life, security of person and physical integrity, and also affect other civil and political, as well as economic, social and cultural rights, including the rights to health, to education, to an adequate standard of living and social security and to the right to participate in public, political and cultural life;

3. *Calls once more upon* all States to do their utmost to take appropriate legislative, administrative and other measures, consistent with international law, in particular human rights law, and their constitutional frameworks, in order to ensure that the civilian acquisition, possession and use of firearms are effectively regulated with the aim of enhancing the protection of the human rights of all;

4. *Calls upon* States to ensure that regulations on the civilian acquisition, possession and use of firearms include appropriate measures to avoid illicit practices, including diversion of firearms;

5. *Also calls upon* all States to take effective measures with the aim of implementing the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, to promote peaceful and inclusive societies;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on human rights and the regulation of civilian acquisition, possession and use of firearms, and the different ways in which firearms have been effectively regulated;[1]

7. *Requests* the High Commissioner to prepare a report on the impact of the civilian acquisition, possession and use of firearms on civil, political, economic, social and cultural rights, with a view to contributing to a fuller understanding of that impact by States and other relevant stakeholders, and to the strengthening or developing of effective national

[1] A/HRC/32/21.

regulation and to other possible measures taken by States, and to present the report to the Human Rights Council at its forty-second session;

8. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies, as well as the Office of the United Nations High Commissioner for Human Rights, to continue to bear in mind the present resolution within the framework of their respective mandates;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States;

10. *Decides* to remain seized of this issue.